

**Town of Kinderhook
Planning Board Meeting
3211 Church Street
Valatie, NY 12184
December 19, 2013**

Approved

MINUTES

The Meeting of the Town of Kinderhook Planning Board was held on Thursday, December 19, 2013 beginning at 7:05pm at the Kinderhook Town Hall, 3211 Church Street, Valatie, NY. The meeting was called to order by the Chairwoman, Mary Keegan-Cavagnaro. The Roll was taken by the Secretary.

A. Roll Call

Present:

Mary Keegan-Cavagnaro, Chairwoman
Andy Howard, Town Attorney
Patrick Prendergast, Engineer
Guy Rivenburgh
Jake Samascott
Chris Simonsen
William Butcher
Cheryl Gilbert
Nataly Dee, Secretary

Excused:

Peter Haemmerlein
Dale Berlin
Daniel Weiller

Absent:

None

B. Correspondence

1. Review of Minutes:

October 10, 2013 – Workshop
October 18, 2013 – Meeting
November 14, 2013 – Workshop
November 21, 2013 – Meeting

A motion to accept the minutes as drafted was made by Mr. Simonsen. Motion seconded by Mr. Rivenburgh. All in favor. Motion carried; minutes approved.

C. Public Hearings

1. 7:05pm - Paul and Michele Carey – 1312 Old Post Road: Lot Line Adjustment/Minor Subdivision

The notice as it appeared in the newspaper of record was read by the Secretary.

A motion to open the Public Hearing was made by Mr. Rivenburgh. Motion seconded by Mr. Samascott. All in favor. Motion carried; hearing open.

The Secretary noted that several inquiries were fielded from neighbors that received notices; however, none submitted comments or concerns regarding the proposal.

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Mr. Carey, the applicant, was also in attendance. Mr. John O'Keefe, representing the Devereux Foundation, was also in attendance.

Mr. VanAlstyne addressed the Board and distributed plans. This proposal is a merger of lands and subdivision of lands. The merger represents a piece of land owned by Haemmerlein being added to the Carey's land. Subsequent to the merger, a proposed subdivision of the Carey's parcel into two 5+ acre lots. Septic approval from the Department of Health has been submitted. Curb cut approval from the Highway Superintendent was submitted. The proposed change of grade for the driveway and profile of driveway was submitted. A bump-out is shown on the plans where the driveway needs to widen to 20' to accommodate the fire code regulations. It was noted that the USGS contours are not exactly accurate due to previous earth movement on the property. Mr. Prendergast noted the pullout for fire trucks and inquired about the turnaround in the gully. Mr. VanAlstyne noted that driveways that don't have access to another road require a turnaround. A 70' T with a 28' radius is shown.

A motion to close the Public Hearing was made by Mr. Simonsen. Motion seconded by Mr. Butcher. All in favor. Motion carried; hearing closed.

Part Two of the Short Environmental Assessment Form was reviewed by the attorney.

Part 2-Impact Assessment:

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? *Proposed answer is no or small impact.*
2. Will the proposed action result in a change in the use or intensity of use of land? *Proposed answer is no or small impact.*
3. Will the proposed action impair the character or quality of the existing community? *Proposed answer is no.*
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? *Proposed answer is no or small impact.*
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? *Proposed answer is no or small impact.*
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? *Proposed answer is no or small impact.*
7. Will the proposed action impact existing:
 - a. public / private water supplies? *Proposed answer is no.*
 - b. public / private wastewater treatment? *Proposed answer is no.*
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? *Proposed answer is no.*
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? *Proposed answer is no or small impact.*
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? *Proposed answer is no or small impact.*

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11. Will the proposed action create a hazard to environmental resources or human health? *Proposed answer is no or small impact.*

A motion to issue a Negative Declaration was made by Ms. Gilbert. Motion seconded by Mr. Simonsen. All in favor; none opposed. Motion carried; Negative Declaration issued.

A motion to approve the project was made by Mr. Simonsen. Motion seconded was made by Ms. Gilbert. All in favor; none opposed. Motion carried; project approved.

The fee of \$350 dollars for subdivision and recreation fee was submitted.

2. 7:15pm - Joan and Joseph Urbatis – Fischer Rd: Minor Subdivision

A motion to open the Public Hearing was made by Ms. Gilbert. Motion seconded by Mr. Simonsen. All in favor. Motion carried; hearing open.

The Secretary noted that several inquiries were fielded from neighbors that received notices; however, none submitted comments or concerns regarding the proposal.

Mr. VanAlstyne addressed the Board and distributed plans. The Board reviewed the plans. There have been no changes since the last meeting at which the plans were reviewed.

A motion to close the Public Hearing was made by Mr. Simonsen. Motion seconded by Ms. Gilbert. All in favor. Motion carried; hearing closed.

Part Two of the Short Environmental Assessment Form was reviewed by the attorney.

Part 2-Impact Assessment:

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? *Proposed answer is no or small impact.*

2. Will the proposed action result in a change in the use or intensity of use of land? *Proposed answer is no or small impact.*

3. Will the proposed action impair the character or quality of the existing community? *Proposed answer is no.*

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? *Proposed answer is no or small impact.*

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? *Proposed answer is no or small impact.*

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? *Proposed answer is no or small impact.*

7. Will the proposed action impact existing:

a. public / private water supplies? *Proposed answer is no.*

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- b. public / private wastewater treatment? *Proposed answer is no.*
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? *Proposed answer is no.*
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? *Proposed answer is no or small impact.*
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? *Proposed answer is no or small impact.*
11. Will the proposed action create a hazard to environmental resources or human health? *Proposed answer is no or small impact.*

A motion to issue a Negative Declaration was made by Ms. Gilbert. Motion seconded by Mr. Simonsen. All in favor; none opposed. Motion carried; Negative Declaration issued.

A motion to approve the project was made by Ms. Gilbert. Motion seconded was made by Mr. Butcher. All in favor; none opposed. Motion carried; project approved.

The fee of \$350 dollars for subdivision was submitted.

D. Old Business

1. Henry Kazer: Major Subdivision - County Route 28

Mr. VanAlstyne provided the Board with a quick update on the status of the project noting that the wet lands have been surveyed; Health Department has been consulted for approval of septic systems. Curb cuts have been discussed with County Highway Department. There is the possibility of having shared driveways. The boundary issues of the overall property are the main concern at this point.

2. Dollar General: Site Plan Review – US Route 9

No one was in attendance to represent this application. The ZBA has scheduled a Public Hearing for two variances to be held on Thursday, January 2, 2014, at 7:00pm.

E. New Business

None

F. ZBA Opinions

None

G. Liaisons

1. Village Planning Boards: County Planning Meeting was cancelled due to weather. Kinderhook Village Planning Board will hold a Public Hearing for Change of Use to convert former bookstore to a restaurant is scheduled for Thursday, January 2, 2014.

2. Town Board: Nothing new to report.

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3. Comprehensive Plan Review Committee: Nothing new to report.

4. NYSEG Project: Nothing new to report.

H. Other

1. Public Comment

Ms. Keegan-Cavagnaro thanked Ms. Gilbert for her service to the Town; she will be missed.

A motion to adjourn was made by Ms. Gilbert. Motion seconded by Mr. Rivenburgh. All in favor; motion carried. Meeting adjourned at 7:48pm.

Respectfully submitted,

Nataly Dee, Secretary